

IN RE: PETITION FOR ZONING VARIANCE
N/S Allegheny Avenue, 60.93' W
of the C/L of Washington Avenue
(600 Washington Avenue)
9th Election District
4th Councilmanic District
Allegheny Center Ltd. Part.
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-172-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an amenity open space ratio of 0.07 in lieu of the required ratio of 0.1, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Mackenzie Properties, Inc., a General Partner, by Gary T. Gill, Vice President, appeared, testified, and was represented by Robert W. Cannon, Esquire. Also appearing on behalf of the Petition were Joseph A. Warfield, Project Engineer with Mackenzie Properties, Inc., Developer, and J. Strong Smith, a registered professional engineer with C. M. Stephens, Jr. & Associates, Inc. Appearing as an interested party was Thomas L. Hennessey, Esquire, on behalf of Trinity Church, adjoining property owner. Appearing as Protestants were Mary E. Ginn and Charlotte W. Pine, Esquire.

Testimony indicated that the subject property, known as 600 Washington Avenue, consists of 1.14 acres, plus or minus, and is zoned B.M.-C.T.M. The property is located at the corner of Allegheny Avenue, Washington Avenue and Joppe Road, and is the site of a nearly completed three-story, 74,500 sq.ft. office building which has been constructed in accordance with approved site plans. The building currently has no on-site parking and provides for all parking required in a Revenue Authority parking garage which is located at the corner of Joppe Road and Washington

Avenue. Mr. Gill testified that as a result of analyzing the plan carefully and discussions with various prospective tenants of the building, it became apparent that the site lacks an important marketing factor. Due to the lack of any on-site parking spaces for messengers and/or delivery personnel, the potential exists that the adjoining property owner and the community may experience parking problems from additional traffic being created by messenger and delivery personnel circling the building looking for parking. Mr. Gill testified Petitioners filed the instant Petition, which will result in a loss of the buffer on the west side of the property adjoining Trinity Church, to provide the needed service and delivery parking. Mr. Gill indicated that prior to filing the instant petition, Petitioners first discussed the matter with its neighbors who would be most adversely affected. As a result of discussions between the parties, the Petitioners have agreed to construct a fence, of an attractive black aluminum agreed to by all parties, that will prevent crossing over from the subject property onto the Trinity Church parking lot. Petitioners further agreed to provide additional buffering at its own expense on the adjoining Trinity Church property. Testimony presented by Petitioners indicated this will permit eight (8) on-site parking spots and providing the parking spaces for short visits is critical to the success of the building. Petitioners' witnesses testified in their opinion, a denial of the requested variance could create traffic congestion problems for the community in addition to presenting practical difficulty to Petitioners. Mr. Gill, Mr. Warfield, and Mr. Smith testified in their opinion that the granting of the variance will result in no hardship or detriment to the health, safety or general welfare of the community.

Mr. Hennessey confirmed the testimony of Petitioners regarding the agreement reached by and between Petitioners and Trinity Church. Trinity Church has no objection to Petitioners' request.

Ms. Ginn and Ms. Pine testified they were greatly concerned about the ability of the roads to handle the traffic pattern approved for this site wherein there will be two lanes of exit, both left and right turns, out of the subject property onto Allegheny Avenue. Further, the Protestants were opposed to any variance being given to the subject property. The Protestants indicated that in their opinion, the proposed building is going to create a traffic problem in the area.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. *Molcan v. Solow*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

In reality, the granting of the variance at the particular location described herein and a reduction in the amenity open space will not have any adverse affect on the health, safety, or general welfare of the community. The loss of amenity open space in this instance is on the west

end of the property, which abuts Trinity Church. The individuals who would be most adversely affected have agreed to Petitioners' proposal provided it supplements its existing buffer on the Trinity Church property at a minimum in the fashion set forth in Petitioner's Exhibit 3A and 3B. While amenity open space is critical to the beautification of a project for the benefit of the general public, the loss of such space in this instance is not detrimental due to the landscaping which will be done on the Trinity Church property. Further, it cannot be ignored the denial of the variance would result in no on-site parking for a project that has been approved and will exist. After due consideration of the testimony presented, it seems appropriate that the proposed additional parking will help create less congestion on the adjoining streets by providing necessary service parking. Petitioners have agreed to monitor the use of the parking spaces and to insure it is limited to messenger service and delivery personnel. Petitioners have reached an agreement with the adjoining neighbors which will enable it to buffer and landscape the property line.

The granting of this variance shall not be deemed as a waiver of any other requirements Petitioners shall be required to comply with regarding CNG approval of the proposed modified site plan.

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of November, 1988 that the Petition for Zoning Variance to permit an amenity open space ratio of 0.07 in lieu of the minimum required 0.1, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions, which are conditions precedent to the relief granted:

- 1) The Petitioner may apply for its occupancy permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioner shall landscape the west side of the subject property by landscaping a portion of the adjoining Trinity Church property at a minimum as set forth in Petitioner's Exhibit 3B.
- 3) Petitioner shall comply with any and all other requirements imposed by the Baltimore County Landscaping Manual, and as deemed appropriate by the Office of Current Planning, Landscape Planner.
- 4) Petitioner shall place appropriate signs near the proposed parking spaces to indicate said spaces are strictly for service and delivery parking only, between the hours of 7:00AM and 6:00PM, Monday through Friday. Petitioner shall take whatever steps are necessary to monitor and enforce this restriction.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
410.332.8800 897-3355

J. Robert Haines
Zoning Commissioner

November 21, 1988

Robert W. Cannon, Esquire
Weinberg and Green
100 South Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR ZONING VARIANCE
N/S Allegheny Avenue, 60.93' W of the C/L of Washington Avenue
(600 Washington Avenue)
9th Election District - 4th Councilmanic District
Allegheny Center Limited Partnership - Petitioners
Case No. 89-172-A

Dear Mr. Cannon:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Roshliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:mjs

cc: Thomas Hennessey, Esquire
407 Pennsylvania Avenue, Towson, Md. 21204

Ms. Mary Ginn
606 Horncrest Road, Towson, Md. 21204

Charlotte W. Pine, Esquire
607 Baltimore Avenue, Towson, Md. 21204

People's Counsel

File

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX 548, TOWSON, MARYLAND 21204

August 16, 1988

Description to Accompany Zoning
Petition for Variance in an
Existing Area-C Zone,
"Washington Place".

Beginning for the same at a point designated 7 as shown on a plat entitled "Washington Place" dated April 14, 1987 and recorded among the Plat Records of Baltimore County in Plat Book SM 57 folio 74 said point being at the end of the cutoff leading from Washington Avenue to Allegheny Avenue, said point also distant North 41° 52' 10" West 60.93' from the intersection of the centerlines of Washington Avenue and Allegheny Avenue, running thence and binding on the north side of Allegheny Avenue

- 1) North 82° 54' 07" West 151.50' thence leaving Allegheny Avenue
 - 2) North 07° 07' 10" 30" East 244.04' to a point on the south side of Joppe Road thence binding along the south side of Joppe Road
 - 3) South 68° 19' 04" East 174.18' to the beginning of the cutoff leading to Washington Avenue thence binding along said cutoff
 - 4) South 22° 09' 31" East 13.85' to the west side of Washington Avenue, thence binding along the west side of Washington Avenue the two following courses, viz:
5) by a curve to the left having a radius of 361.00' for a distance of 101.17' and
 - 6) South 07° 09' 09" West 78.23' to the beginning of the cutoff leading to Allegheny Avenue thence binding along said cutoff
 - 7) South 52° 07' 31" West 14.15' to the place of beginning.
- Containing 0.0394 acres of land more or less.
- Being all of Lot 7 as shown on a plat entitled "Washington Place" dated April 14, 1987 and recorded among the plat records of Baltimore County in Plat Book SM 57 folio 74.

THIS DESCRIPTION IS INTENDED FOR ZONING PURPOSES ONLY AND NOT FOR USE IN CONVEYANCE OF LAND.



RE: PETITION FOR VARIANCE
N/S Allegheny Ave., 60.93' W
C/L Washington Ave., (600
Washington Ave.), 9th Election
District, 4th Councilmanic Dist.

ALLEGHENY CENTER LIMITED
PARTNERSHIP, Petitioner

Case No. 89-172-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of October, 1988, a copy of the foregoing Entry of Appearance was mailed to Robert W. Cannon, Esquire, Weinberg and Green, 100 S. Charles St., Baltimore, MD 21201, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and make a petition for a Variance from Section 235B.4 of the Zoning Regulations of Baltimore County to request an amnesty open space ratio of 0.07 instead of a ratio of 0.1

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County for the following reasons: (Indicate hardship or practical difficulty) In an effort to maintain light and air, the project has a floor-to-area ratio of 1.5 instead of a ratio of 2.5 which is allowed. As a result, Petitioner must reduce slightly the amnesty open space ratio in order to provide adequate open space to complement the off-site parking. These spaces are needed for visitors, messengers, and the like who will be at the project for a short time. Without these spaces, the visitors and messengers will be forced to drive around the project seeking on-street parking, thereby congesting traffic. Grant of the variance is in harmony with the spirit and intent of the zoning regulations, and would not result in substantial injury to public health, safety and general welfare. Denial of Petitioner's Property is to be posted and advertised as prescribed by Zoning Regulations. request would cause practical difficulty.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and see to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I, or we, do solemnly declare and affirm, under the penalties of perjury, that I, or we, are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: ALLEGHENY CENTER LIMITED PARTNERSHIP
(Type or Print Name)
Signature: [Signature]
Address: 100 South Charles Street
City and State: Baltimore, Maryland 21201

Legal Owner(s):
BY: Robert W. Cannon, General Partner
Signature: [Signature]
Address: 100 South Charles Street
City and State: Baltimore, Maryland 21201

Attorney for Petitioner:
Robert W. Cannon
(Type or Print Name)
Address: 100 South Charles Street
City and State: Baltimore, Maryland 21201
Attorney's Telephone No.: 332-8816

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of September, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 110 of the County Office Building in Towson, Baltimore County, on the 22nd day of September, 1988, at 11:00 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

SUMMARY OF QUALIFICATIONS
JOHN STRONG SMITH

EDUCATION
Antioch College, B.S. in Civil Engineering
University of Illinois

QUALIFICATIONS
Professional Engineering Registration in Maryland - 1958.

EXPERIENCE
Baltimore, Regard & Associates
4 years designer of municipal utilities preparation of Baltimore County Design Standards.
Baltimore County Department of Public Works
Chief, Division of Research and Standards
2 years preparation of Capital Program and Major Sewerage Reports.
Mats, Childs & Associates of Rockville Associates
Engineer
2 years supervision of Development Planning and Engineering projects (highway and storm drainage).
J. Strong Smith & Associates, Consulting Engineer
8 years residential, industrial and commercial land development projects. Highway and utility design.
Smith, Yeager & Associates, Planners, Engineers & Surveyors
7 years community planning and engineering, grading and sediment control design, surveys.
George William Stephens, Jr. & Associates, Inc.
Chief Engineer 1976 to 1984
George William Stephens, Jr. & Associates, Inc.
Chief of Planning and Property Analysis

Have made numerous appearances before Zoning Commissioners, Boards of Zoning Appeals and in Circuit Court.
Anne Stundel and Monty Stundel

PETITIONER'S EXHIBIT 2

CERTIFICATE OF PUBLICATION
TOWSON, MD., 09-17-88
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on 09-13-88

THE JEFFERSONIAN
Publisher: S. Zabe - Orlan

By: 05171
By: 130357
By: 96-65
By: 17, JEFF

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th
Posted for: Variance
Petitioner: Allegheny Center Ltd. Partnership
Location of property: NS Allegheny Avenue, 60.93' W c/l Washington Avenue
Location of sign: North side of Allegheny Ave. opposite local street of Washington Ave.
Remarks: [Signature]
Number of Signs: 1
Date of return: 09-18-88



Baltimore County Zoning Commissioner Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

Date: 10-28-88

Allegheny Center Limited Partnership
c/o McDermott Properties, Inc.
228 W. Tappan Road, Suite 200
Lutherville, Maryland 21033

ATTN: Mr. Gary T. Gill

Re: Petition for Zoning Variance
CASE NUMBER: 88-172-A
NS Allegheny Avenue, 60.93' W c/l Washington Avenue
(600 Washington Avenue)
9th Election District - 4th Councilmatic
Petitioner(s): Allegheny Center Limited Partnership
HEARING SCHEDULED: WEDNESDAY, NOVEMBER 9, 1988 at 11:00 a.m.

Gentlemen:

Please be advised that 111.65 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. No more copies of the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 110, 111 W. Chesapeake Avenue, Towson, Maryland 21204, 5 minutes before the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - TREASURER'S DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 10/21/88 ACCOUNT: R-01-615-000

AMOUNT: \$ 111.65

RECEIVED BY: [Signature]

FOR: Posting and Advertising 10/21/88 Hearing

NO. 059038

B 8652*****111 89-172-A

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 7th day of September, 1988.

J. Robert Haines
Zoning Commissioner

Allegheny Center
Petitioner: [Signature]
Attorney: Robert W. Cannon

Received by: [Signature]
Chairman, Zoning Plans Advisory Committee

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 110 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 88-172-A
NS Allegheny Avenue, 60.93' W c/l Washington Avenue
(600 Washington Avenue)
9th Election District - 4th Councilmatic
Petitioner(s): Allegheny Center Limited Partnership
HEARING SCHEDULED: WEDNESDAY, NOVEMBER 9, 1988 at 11:00 a.m.

Variance to permit an amnesty open space ratio of 0.07 instead of a ratio of 0.1.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

*NOTE:
IF PHASE II OF THE SHOW OPERATES FOR 15 IN DISTRICT IN BALTIMORE COUNTY BY 8:30 a.m. ON THE DATE OF THE ABOVE HEARING, SUCH HEARING WILL BE POSTPONED AND TENTATIVELY RESCHEDULED FOR THURSDAY, DECEMBER 22, 1988. PLEASE TELEPHONE 494-3333 TO CONFIRM.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
cc: Mr. Gary T. Gill
Robert W. Cannon, Esq.
File

September 29, 1988

Baltimore County Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
September 12, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: Allegheny Ctr. Ltd. Partnership
Location: NS Allegheny Avenue, 60.93' W c/l of Wash. Avenue
Item No.: 83 Zoning Agenda: Meeting of 9/6/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at [Location] EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

(x) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] 9/13/88 Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

7/31

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 28, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Robert W. Cannon, Esquire
Weinberg and Green
100 South Charles Street
Baltimore, Maryland 21201

RE: Item No. 83 - Case No. 89-172-A
Petitioners: Allegheny Center Ltd. Partnership
Petition for Zoning Variance

Dear Mr. Cannon:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

cc: Mr. Jim Mattis
E. A. Stephens & Associates
303 Allegheny Avenue
Towson, Maryland 21204

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Building, Suite 400
Towson, Maryland 21204
494-3554

October 11, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

RECEIVED ZONING OFFICE
DATE: 10/11/88

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 69, 75, 76, 77, 78, 79, 81, 82, 84, & 85.

Very truly yours,
Michael S. Planigan
Michael S. Planigan
Traffic Engineer Associate II

MSF:lab

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: November 9, 1988

SUBJECT: Allegheny Center Ltd. Partnership
Zoning Petition No. 89-172-A

The applicant is requesting a variance to reduce the amenity open space ratio to .07 from .1. The reduction will allow for the provision of 9 on-site parking spaces. In reference to this request, staff provides the following information:

- The subject property received CUG approval on July 20, 1987. One of the issues raised at the meeting was the provision of an adequate buffer between the church and the applicant's development. The changes being proposed by the applicant represent a significant change in the site plan as approved by the CUG and as such would require a new CUG review.
- The applicant is proposing the elimination of an 8 to 10 foot extensively landscaped buffer and replacement of this buffer with a fence. The use of a fence to provide screening or buffering must be approved by the Director of Planning and Zoning.
- The proposed placement of the parking spaces are in direct conflict with the stacking of cars for the bank facility. At peak hours of bank usage, cars can neither enter or leave the parking spaces or the access of the site.

Based upon the information provided and analysis conducted, staff recommends denial of the applicant's request.

PK/af

WEINBERG AND GREEN
ATTORNEYS AT LAW
100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-2773

August 25, 1988

(301) 332-8816

BY HAND DELIVERY

Honorable J. Robert Haines
Zoning Commissioner of Baltimore County
County Office Building, Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Zoning Variance by Allegheny Center Limited Partnership for Washington Place Located at Washington Avenue at Allegheny Avenue and Joppa Road

Dear Commissioner Haines:

The purpose of this letter is to request acceptance of the filing of a Petition for Zoning Variance for the referenced zoning matter and to obtain an expedited hearing date.

This matter concerns a request for a zoning variance from Section 23B.4 of the Zoning Regulations of Baltimore County to permit an amenity open space ratio of 0.07 instead of a ratio of 0.1.

Because Washington Place is a first class project that will provide additional space for businesses desiring to remain in, or relocate to, Baltimore County, and because the Project is scheduled to open during the first week of January, 1989, we believe Allegheny Center Limited Partnership's request for an expedited hearing date deserves special consideration.

We appreciate every effort your office can make to accommodate the request, and we look forward to hearing from you in the near future.

RECEIVED
AUG 25 1988
ZONING OFFICE

WEINBERG AND GREEN

Honorable J. Robert Haines
August 25, 1988
Page 2

As always, if you have any questions concerning this matter, please do not hesitate to call me at any time. Thank you in advance for your attention to this matter.

Very truly yours,
Robert W. Cannon
Robert W. Cannon

231/asp
Enclosure
cc: Mr. Brian Effinger
Mr. James E. Mattis
Richard A. Montford, Esquire

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Robert W. Cannon</i>	<i>100 South Charles Street 21201</i>
<i>GARY T. GILL</i>	<i>2322 W. JOPPA RD. 21093</i>
<i>Joseph A. Whitfield</i>	<i>2322 W. Joppa Rd 21093</i>
<i>J. Strong Smith</i>	<i>303 Allegheny</i>

PLEASE PRINT CLEARLY

INTERESTED PARTY

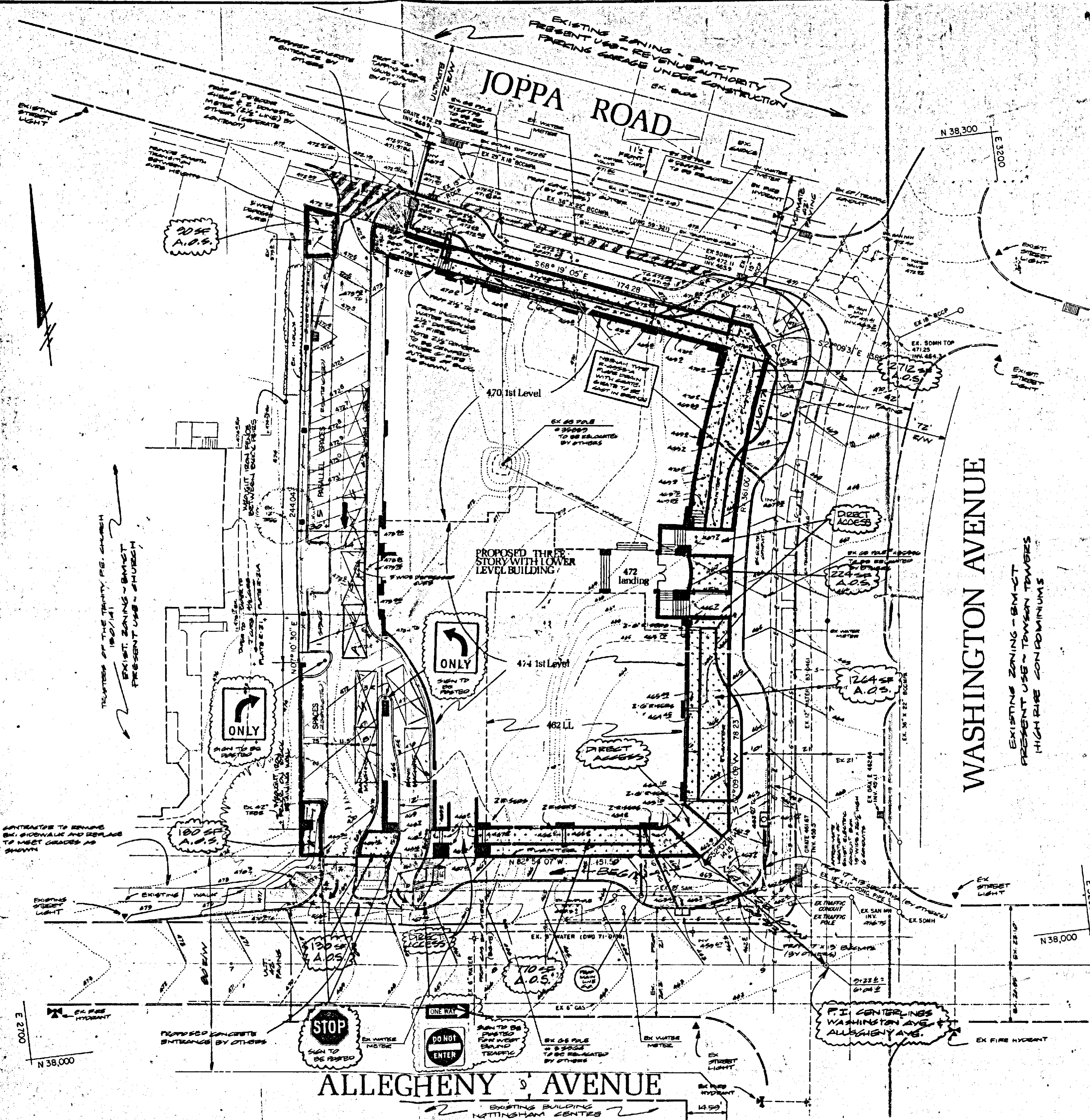
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>James E. Haines</i>	<i>400 Penna Ave Towson Md 21204</i>
<i>for Church</i>	

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Marjorie G. Ginn</i>	<i>606 Thacker Rd W. Towson Md 21204</i>
<i>Marjorie W. Ginn</i>	<i>607 Baltimore Ave W. Towson Md 21204</i>



SITE DATA

GROSS AREA (INCLUDES 16.5' OF JOPPA, 30' OF ALLEGHENY AND 30' OF WASHINGTON) = 1.14 AC. ±

NET AREA (MINUS ROAD WIDENINGS) = 0.8394

ZONING: BM-CT

EXISTING USE: BUILDING UNDER CONSTRUCTION

PROPOSED USE: 3 STORY WITH LOWER LEVEL MIXED USE BUILDINGS (74,500 S.F.)

F.A.R. 74,500 (1.71 AC. ±) = 1.5 < 5.5 ALLOWED
1.14 AC. ± GROSS AREA

AMENITY OPEN SPACE REQUIRED: 10% OF 74,500 S.F. = 7,450 S.F.

AMENITY OPEN SPACE PROPOSED: 5,370 S.F. 5370 = 0.07 RATIO
74500

PARKING REQUIRED

LOWER LEVEL (AT GRADE)	5200 S.F. RETAIL @ 1 SP/325 S.F. =	16
1ST LEVEL 22,300 S.F. OFFICE @ 1 SP/300 =		74.33
2ND LEVEL 23,500 S.F. OFFICE @ 1 SP/500 =		47
3RD LEVEL 23,500 S.F. OFFICE @ 1 SP/500 =		47
TOTAL PARKING REQUIRED		185 SPACES

ALL PARKING REQUIRED IS PROVIDED WITHIN REVENUE AUTHORITY PARKING GARAGE @ JOPPA RD & WASHINGTON AVE. THE 2ND FLOOR SPACES ARE RESTRICTED FOR THE EXCLUSIVE USE OF SERVICES AND DELIVERY VEHICLES.

CRG: A WAIVER OF CRG FOR THIS CONCEPT HAS BEEN APPROVED. W-87-43 212/87

A CRG PLAN FOR THIS SITE WAS APPROVED UTILIZING A DIFFERENT CONCEPT UNDER THE NAME OF WASHINGTON PLAZA. DATED MARCH 14, 1985.

STORM WATER MANAGEMENT: A WAIVER OF STORM WATER MANAGEMENT HAS BEEN APPROVED FOR THIS SITE UNDER THE NAME OF WASHINGTON PLAZA. LETTER DATED MARCH 11, 1985.

REFERENCE: PLAT ENTITLED "WASHINGTON PLACE" DATED APRIL 14, 1987 AND RECORDED AMONG THE PLAT RECORDS OF BALTO CO. IN PLAT BOOK SM 57/74

VICINITY MAP NO SCALE

BENCHMARK 12088 ELEV. 462.89

1/2" BAR IN SSAM IN CONC. WALK N.W. CORNER OF WASHINGTON AND ALLEGHENY

LEGEND

- PROJ CURB & GUTTER 4 1/2"
- PROP CURB & GUTTER 7"
- PROP CURB & GUTTER (WIDENING)
- EXISTING CURB
- EXISTING CONTOURS
- PROPOSED GRADES
- PROP PLANTER/RETAINING WALL
- EXISTING WATER
- PROPOSED WATER
- EXISTING DRAIN
- PROPOSED DRAIN
- EXISTING SEWER
- PROPOSED SEWER
- EX CP CONDUIT
- EX BORE CONDUIT
- EX TRAFFIC CONDUIT
- PROPOSED MACADAM PAVING
- PROPOSED CONCRETE PAVING

PETITIONER'S EXHIBIT 1

VARIANCE IS REQUESTED TO SECTION 235.04 TO PERMIT AN AMENITY OPEN SPACE RATIO OF 0.07 IN LIEU OF THE REQUIRED 0.1

SIGNAGE TO BE IN ACCORDANCE WITH SECTION 413 B.C.Z.E.

<p>GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.</p> <p>CIVIL ENGINEERS & LAND SURVEYORS</p> <p>303 ALLEGHENY AVENUE TOWSON, MARYLAND 21204 (301) 825-8120</p>	<p>DEVELOPER OWNER/PETITIONER ALLEGHENY CENTER LTD PARTNERSHIP c/o MACKENZIE AND ASSOCIATES 2328 West Joppa Road Lutherville, Maryland 21093</p>	<p>REVISED NOV. 8, 1988 DELETED 15 SPACE OPPOSITE REAR ENTRANCE</p>	<p>PLAT TO ACCOMPANY ZONING PETITION FOR VARIANCE</p> <p>WASHINGTON PLACE</p> <p>Washington Avenue at Allegheny Avenue and Joppa Road</p> <p>Baltimore County, Maryland Scale: 1" = 20'</p> <p>8/17/88</p> <p>Project No. 5666</p>	<p>Drawn: JEM Revised: JEM Checked:</p>
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